

**From:** yonder  
**To:** Microsoft ATR  
**Date:** 12/17/01 1:42pm  
**Subject:** Re: U.S. v. Microsoft: Settlement Information

By definition, a monopoly must be detrimental to or restrict competition. Many people will remember a little feature in early versions of Internet Explorer for Windows 3.1 that disallowed the downloading of Netscape citing that the file was too large. Yet somehow I was still able to download larger files than Netscape from other sites. I was even able to download the same Netscape executable that IE felt was too large from alternate sites. While this example was from many years ago, I believe that Microsoft's aggressive corporate philosophy has remained unchanged. More recently you may note that Microsoft has included in its end user agreement for Frontpage 2002 the following clause:

"You may not use the Software in connection with any site that disparages Microsoft, MSN, MSNBC, Expedia, or their products or services, infringe any intellectual property or other rights of these parties, violate any state, federal or international law, or promote racism, hatred or pornography."

While the legality of this clause is questionable at best, what remains clear is Microsoft's commitment to eliminating criticism and competition. It has been their argument that federal intervention and restriction on their business practices stifles innovation. I think you must ask yourself what kind of corporation refers to preventing the downloading of competitive products and making critical speech a violation of an end user agreement innovation. You will also remember Kodak's suit against Microsoft over desktop photo software. Why would it be so difficult for a user who has installed Kodak software to use it as a default with Kodak digital cameras? This may be a long shot but I think it has something to do with the percentage Microsoft makes off of every photo processed with the default XP software. They have done much worse things than tying Internet Explorer to Windows and have to wonder why the DOJ was so quick to attempt dropping the case. The coming of Windows XP, Microsoft .NET, and Passport tracking only signals worse things are to come, especially if the settlement proposed by Microsoft is accepted. I do not feel that training millions of children on Microsoft products from an early age is an appropriate remedy for an existing monopoly. If they truly cared about providing kids with computers, why have they violently rejected to proposal to provide schools with alternate operating system based systems (Mac OSX, Linux, etc...)?

As a computer software professional and a security advocate, I implore you to look closer at the consequences of allowing current trends to continue. I would like to believe that any software company I create has a fighting chance of competing with Microsoft supported companies.  
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